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15
16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 LOS ANGELES WATERKEEPER, a
19 California non-profit association,

20 Plaintiff,

21 v.

22 ASTRO PAK CORPORATION, a
23 Delaware corporation,

24 Defendant.
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Case No.: 2:23-cv-04769-SVW-PVC

**NOTICE OF LODGING OF
[PROPOSED] CONSENT DECREE;
REQUEST FOR ENTRY OF
[PROPOSED] CONSENT DECREE**

1 WHEREAS, on October 2, 2023, LOS ANGELES WATERKEEPER
2 (“Plaintiff”) and Defendants ASTRO PAK CORPORATION (“Defendant”)
3 (collectively, “the Parties”) agreed on a tentative settlement resolving the issues raised
4 in Plaintiff’s complaint; and

5 WHEREAS, on November 16, 2023, Plaintiff filed a Notice of Tentative
6 Settlement informing the Court that the Parties were in the process of finalizing a
7 proposed Consent Decree and had reached agreement on the substantive terms
8 thereof and further informing the court that, once finalized, the Proposed Consent
9 Decree would be submitted to the United States Department of Justice (“DOJ”) and
10 the United States Environmental Protection Agency (“EPA”) for a 45-day review
11 period as required under section 135.5 of Title 40 of the Code of Federal Regulations
12 (ECF #20); and

13 WHEREAS, on January 19, 2024, Plaintiff filed a Notice of Commencement of
14 45-Day Review Period, which advised the Court that the United States had
15 acknowledged receipt of the proposed Consent Decree and would notify the Court of
16 any objections to the proposed Consent Decree, (ECF #23); and

17 WHEREAS, on February 23, 2024, the United States Department of Justice
18 notified Plaintiff via electronic mail that the United States does not object to the
19 Court’s entry of the Consent Decree into judgment; as the Agencies have indicated
20 that they have no objection to entry, the Court may now enter the [Proposed] Consent
21 Decree, which includes a request that the Court retain jurisdiction to enforce the
22 terms of the [Proposed] Consent Decree if necessary.

23 WHEREAS, on February 26, 2024, Plaintiff submitted a [Proposed] Consent
24 Decree to the Court for approval and entry.

25 THEREFORE, Plaintiff hereby requests the Court sign the [Proposed] Consent
26 Decree, a true and correct copy of which is attached to this Notice of Lodging as
27 “Exhibit 1,” and enter the Consent Decree as judgment.
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1 DATED: February 26, 2024

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3 /s/ J. Thomas Brett

4 J. Thomas Brett

5 Jason R. Flanders

6 Aqua Terra Aeris Law Group

7 Attorneys for Plaintiff

8 LOS ANGELES WATERKEEPER